## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

JAMES NEELY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:07CV995 CEJ
	)	
CITY OF FERGUSON,	)	
	)	
Defendant.	)	

## **MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's third motion to compel. The motion is untimely and will be denied as such.

Pursuant to the Case Management Order entered July 9, 2007, the time for conducting discovery in this case closed on October 10, 2007. The Case Management Order further states, "Parties shall file motions to compel in a prompt manner and in no event after the discovery deadline." As a result, the instant motion is untimely.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to compel [#44] is **DENIED**.

Dated this 27th day of December, 2007.

CAROL E. JACKSON

UNITED STATES DISTRICT JUDGE